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Joel J. Mitchell, P.E.
Partner

City of College Station
Development Services
1101 Texas Avenue South
College Station, TX 77840
Attn: Molly Hitchcock

July 23, 2002

Re: Request for R-4 Rezoning for Madison Tracts 1 and 2 located on Krenk Tap Road

Dear Molly:

We would like to request a rezoning from R-1 to R-4 for the above referenced tracts. The Planning & Zoning Commission considered a rezoning to R-5 for this same property at their last meeting and this request was denied. A discussion at this same meeting regarding the possibility of the R-4 district resulted in questions and concerns by the Commission and ultimately in a tabling motion. My discussions with several Commissioners after the meeting revealed that the tabling motion was in an effort to obtain additional information in writing as opposed to verbal information from the podium. This information that the Commissioners were requesting is regarding the pros/cons of the various zoning districts that may be requested or desired by the adjacent property owners. To that end we have included, from our perspective, such written information.

As you know the Land Use Plan in this area shows Residential Attached as the appropriate land use for the property. The subject property is surrounded on the west with R-5 zoned property currently vacant, on the north with R-2 and R-5 property developed as duplexes and multi-family, on the east with R-5 property that is vacant and an R-1 zoned property (which was a holding zone) also vacant, and on the south is Central Park.

Our intent is to develop this property with a "townhome look" *condominium* project. The condominiums will be individually owned while the outside space, (i.e. parking lot, landscaping, and site amenities) will be commonly owned and maintained. As you are aware, the only zoning districts in College Station which permit a condominium project (which is based upon common ownership of one large lot or tract and individual ownership of the "interior space") are **PDD-H, R-4 and R-5**. All other residential zoning districts, R-1, R-1B, R-2, and R-3 are designed for individual ownership of individual lots. As stated in the zoning ordinance under the R-3 district "This district...which is designed for individual ownership or ownership in group of single family attached residences *constructed on individually platted lots.*" (emphasis added)

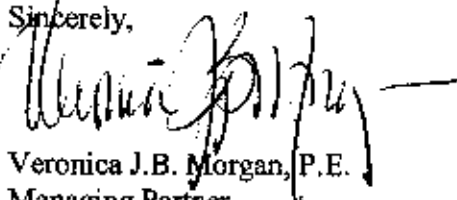
In order to develop this project my client has determined that a density of 14.5 dwelling units/acre is necessary to have a financially viable project. This density would allow us to be located in an R-4 or R-5 zoning district (16 du/acre and 24 du/acre respectively). The R-4 zoning district is titled *Apartment/Low Density* but allows condominiums as a permitted use. We believe that this request for an R-4 zoning district is an appropriate use at this location.

As a side note, the PDD-H zoning district would also allow us to construct our project. However, as has been discussed many times over, the PDD district is an extremely difficult district to develop in College Station. With the PDD district, a developer must incur the cost for the design of his site layout, amenities, landscaping and drainage prior to any assurance of approval. This cost for a 14 acre site can run anywhere from \$30,000-\$40,000. This is a large sum of money to sink into a development when you have no assurance that the PDD will even be approved. Until a mechanism is put in place to provide some assurance of density or use, this type of development is too risky to become commonplace. My experience with the PDD zoning district has convinced me that for small sites (<50 acres) it is imperative that you have your underlying density or general use previously approved in order for the PDD to be cost effective. Once you have rights to construct retail/commercial or residential at 14 du/acre or 24 du/acre and you are simply desiring meritorious modifications to the Subdivision or Zoning Ordinances then the expenditure of \$30,000-\$40,000 upfront becomes more reasonable. Currently it is a gamble whether or not with this expenditure you would even get approval of the use much less the site layout. Given that we do not have the underlying density that is necessary for our use (R-4 @ 16 du/acre) we do not believe that PDD-H is a viable zoning district for us.

In addition to discussing PDD-H, R-4 and R-5, we would like to point out for a moment the inherent problems that we see with the viability of developing the subject tracts as single-family (R-1, R-1B) or duplex (R-2) development. Typically these developments, single family and duplexes, are geared for non-student housing or at least non-traditional student housing. Central Park is a wonderful park, however you would probably agree that it is not your *neighborhood* park. The events that are hosted here, Christmas in the Park, soccer tournaments, and the all-night softball tournaments with field lighting that approaches daylight are not for the faint-hearted. These are great events for the community but do not lend themselves to the atmosphere for a low density single family neighborhood. We feel very strongly that a use that is compatible, can be a good neighbor and does not detract from the park is what should be developed at this location. Given the regional nature of Central Park and the lighting and traffic issues associated with the park, the properties directly across Krenak Tap should be developed with uses that will not be adversely affected by nor complain about these events. This thought process leads us directly to the residential zoning districts of R-4 and R-5. We believe that the Planning & Zoning Commission and City Council recognized this concern and is why they approved the Land Use Plan with Residential Attached as the appropriate land use in this area. They saw Krenak Tap, Central Park Lane as well as SH6 Bypass frontage roads as adequate thoroughfares to handle traffic generated from an R-4 or R-5 development as well as handling the traffic generated by their own facility, Central Park.

In summary, the R-4 zoning district is in compliance with the Land Use Plan and is a land use that is compatible with the surrounding area, especially Central Park. We agree that the Residential Attached use shown on the Land Use Plan was and still is the most appropriate use for this property. Since the adoption of the Plan, we are not aware of any changed conditions that would invalidate the Plan in the area. We hope that this information and discussion will be helpful to the Commission and the City Council in considering this rezoning request. As always, please do not hesitate to call if you have any questions.

Sincerely,



Veronica J.B. Morgan, P.E.
Managing Partner

Cc: Henry Etta Madison
Linda Joy Ishimitsu
Jim Stewart
File